

Coerced Sterilization of Romani Women in Slovakia



**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe**

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COERCED STERILIZATION OF ROMANI WOMEN IN SLOVAKIA

March 2003

This memorandum is part of a continuing series of human rights reports prepared by the staff of the Commission on Security and Cooperation in Europe.

"The government will do everything to ensure that more white children than Romani children are born."

– Lubomir Javorsky, (then) Minister of Health, 1995¹

During the 1970s and 1980s, the Czechoslovak Government pursued a policy aimed at reducing the birthrate of Roma, including by targeting Romani women for sterilization. Although it was generally assumed that the practice of coercing Romani women to be sterilized had stopped after the fall of communism, persistent allegations that this practice has continued recently prompted the Slovak Government to appoint a special commission to investigate this issue.

General Background on Slovakia

Following the establishment of an independent Slovak state on January 1, 1993, anti-democratic forces progressively consolidated their strength and control. Human rights concerns mounted, minorities were at risk, and Slovakia's once-assured invitation to NATO's first round of historic, post-Cold War expansion evaporated. The practices of the country's authoritarian ruler, Vladimir Meciar, earned him the nickname "Lukashenka on the Danube."

With the democratic future of the country hanging in the balance, a record 84 percent of voters participated in the 1998 parliamentary elections, giving a coalition government led by Mikulas Dzurinda (Slovak Democratic Christian Union) a clear reform mandate. That government made significant progress in reversing the legacy of the Meciar regime, addressing concerns of the Hungarian minority, ending the harassment of the independent media, and restoring parliamentary and constitutional democracy.

Elections were held again in September 2002, returning a smaller (four parties versus seven) and more ideologically coherent (largely right-of-center) coalition, again headed by Mikulas Dzurinda. In October 2002, Slovakia was invited to join the European Union; in November 2002, Slovakia was invited to join NATO.

Roma in Slovakia

Slovakia is a relatively new independent state, where society is still forming a consensus of what it means to be "Slovak" and how much of that identity is based on ethnicity. At present, Slovakia has one of the highest concentrations of Roma in Europe – possibly as high as 10 percent of its roughly 5 million citizens. The Roma birth rate is higher than that of other ethnic groups in Slovakia and, at least in the near term, the percentage of Roma will increase. A study suggesting that, if demographic trends hold, Roma might become the ethnic majority by 2060 unleashed a barrage of

speculative and mostly alarmist reactions.² In April 2001, Slovakia's Deputy Prime Minister for European Integration, Pavol Hamzik, described Slovak Roma as "a demographic problem."³

Many Slovak Roma live in *de facto* segregated shanty towns or "settlements," in conditions the United Nations Development Programme has compared to Sub-Saharan Africa.⁴ They are concentrated in the eastern part of the country and have been disproportionately disadvantaged by the transition to a market economy. In some localities, such as Letanovce, Roma live in a legal limbo and are refused registration by local authorities.⁵ The refusal to register Roma as residents results in a denial of the right to vote and contributes to their social and economic marginalization.

Slovakia constitutes one big "at large" parliamentary district, meaning all 150 Deputies are from the country at large. As a consequence, eastern Slovakia is under-represented in the parliament, and there are no Romani Deputies. One Rom, Klara Orgovanova, serves as a government-appointed Plenipotentiary for Romani Affairs. Although she is highly respected, she has limited authority and resources, but endless responsibilities.

Societal unease with the growing number of Roma has been reflected in a steady stream of voices over the past decade urging that the birthrate of Roma must be limited. In September 1993, then-Prime Minister Vladimir Meciar made a speech in Spisska Nova Ves – a town with a significant Roma community – in which he drew attention to the high birth rate among Roma. He stated that "if we do not deal with them now, in time they will deal with us. It's necessary to understand them as a problematic group which rises in numbers."⁶ In October 1995, then-Health Minister Lubomir Javorsky stated at a party rally in Kosice, that "the government will do everything to ensure that more white children than Romani children are born."⁷ In the 1997 Canadian documentary, "Gypsies of Svinia," a Slovak medical practitioner openly advocated the sterilization of Roma.⁸ In April 2000, *The New York Times* quoted Deputy Mayor of Rudnany, Ladislav Sabo, as saying "[w]hat we need is a Chinese fertility program" for Roma.⁹ Most recently, during the 2002 parliamentary campaign, Robert Fico (Direction Party) ran on a campaign that included a promise to "actively effect the irresponsible growth of the Roman[i] population."¹⁰ Other political candidates, public leaders, and non-governmental groups (except Romani groups) declined to criticize Fico's position on Roma birth rates. (Such persistent remarks have contributed to the perception that coerced sterilization of Roma may have continued after the fall of the communism.)

Racially motivated violence against Roma remains high:

- In 1995, skinheads set on fire and burned to death Mario Goral.
- In 1996, a mob burned Jozef Miklos to death.
- In 1999, while restrained and in police custody, Lubomir Starissky was shot and later died.
- In 2000, Anastazia Balazova was beaten to death with baseball bats in her home, in front of two children.
- In 2001, Karol Sendrei died after being chained to a radiator by police and beaten over the course of a night.

Many other cases, such as the 2001 attack on Milan Daniel which left him missing a portion of his skull or the six skinhead attacks on Roma in Poprad in 2002, fail to grab headlines because the

victims are not murdered, although they may be permanently injured, disfigured, or traumatized. Such non-lethal cases rarely generate condemnation by public leaders.

Slovakia pledged to adopt anti-discrimination legislation in the 1999 OSCE Istanbul Summit Document; anti-discrimination legislation also required by the European Union's 2000 "race directive."¹¹ Comprehensive anti-discrimination legislation was prepared by the government in 2002, but was not acted upon by the Parliament before it recessed for elections. A revised draft anti-discrimination law has been prepared by the government for consideration by the Parliament.

Following the 2002 elections, hopes for a robust, forward-looking policy addressing the human rights concerns of the Romani minority have not materialized. Instead, the early months of the new administration were marked by an unseemly debate over which government ministry would get "stuck" with the Roma portfolio.¹²

In the course of this debate, consideration was given to moving Roma issues under the auspices of the Ministry of Culture, headed by Rudolf Chmel. Meanwhile, Chmel's party, ANO (Alliance of New Citizens, also meaning "yes" in Slovak) had begun discussion of a program that envisioned establishing "re-education settlements" for Roma; sending "missionaries" to the settlements to facilitate the "re-education" of the Roma, and building community centers for Roma modeled after Kibbutzim.¹³ Edana Marash-Borska, described as "the spiritual mother" of the concept, reportedly explained: "A re-education integration settlement will not be a vacation when every adult must work according to their abilities. [. . .] Romanies in these re-education settlements do not need to have any money except for spending cash. Everyone will receive their due: box of cigarettes a day, soap, shampoo, toothpaste, coffee, tea, sweets for kids."¹⁴

It was eventually decided that Roma issues would remain within the portfolio of Pal Csaky (Hungarian Coalition Party), a Deputy Prime Minister with responsibility for human rights and minority issues, who had responsibilities for these issues in the 1998-2002 government. The re-education camp/kibbutzim concept was abandoned.¹⁵

Coerced Sterilizations in Slovakia

During the 1970s and 1980s, Czechoslovakia pursued a policy aimed at reducing the birthrate of Roma.¹⁶ The implementation of this policy apparently included targeting Romani women for sterilization.

Criticism of this policy was included in a report on the situation of Roma in Czechoslovakia issued in 1978 by then-Charter 77 Spokesmen Vaclav Havel and Ladislav Hejdanek. That report stated: "The question of sterilization is very important. [. . .] In some areas the sterilization is carried out as a planned administrative program and the success of employees is judged by the number of Gypsy women an employee has been able to talk into sterilization. [. . .] In this way, sterilization is becoming one of the instruments of the majority aimed at preventing childbirth in a particular ethnic minority."¹⁷ In the late 1980s, dissidents Zbynek Andrs and Ruben Pellar conducted further research into this abuse, concluding that Romani women were coerced into agreeing to sterilization

procedures, often by officials who threatened to withhold social welfare payments if the Romani women did not agree to the procedure.¹⁸ Helsinki Watch (now known as Human Rights Watch) also reported on this practice in a 1992 report on Roma in Czechoslovakia.¹⁹

It was generally assumed that the practice of coercing Romani women to be sterilized had stopped after the fall of communism. In 1999, however, Finnish nurses reported to Amnesty International that some Slovak Romani asylum seekers may have been subjected to coerced sterilization. The Roma were deported from Finland before the matter could be investigated further.²⁰ In late 2001, a Romani activist, Alexander Patkolo, was threatened with charges of spreading alarming information for raising cases of alleged coerced sterilization of Romani.²¹

In the fall of 2002, several researchers followed up on these persistent allegations. The resulting report, entitled “Body and Soul: Forced Sterilization and Other Assaults on Roma Reproductive Freedom,” was released in January 2003 by the New York-based Center for Reproductive Rights (CRR) and the Slovak Center for Civil and Human Rights (known in Slovak as *Poradna*).²² Based on 230 in-depth interviews with Romani women in 40 (out of more than 600) Romani settlements in Slovakia, the authors found a pattern of “forced” sterilization (meaning that the patient was unaware that she had been sterilized) and “coerced” sterilization (meaning that some form of pressure, often in the form of medical misinformation, was used to persuade the patient to undergo sterilization) of Romani women. In particular, the authors identified approximately 140 cases of Romani women who they concluded were forcibly or coercively sterilized, 30 during the communist period and 110 since 1990. The European Roma Rights Center also undertook field investigations in 2002 and concluded that earlier reports of coerced sterilization are well-founded.

After the release of the CRR/*Poradna* report, a government spokesman reportedly warned: “If we confirm this information [the allegations of coerced sterilization], we will expand our charges to the report’s authors, that they knew about a crime for a year and did not report it to a prosecutor. And if we prove it is not true, they will be charged with spreading false information and damaging the good name of Slovakia.”²³ While it is unlikely that criminal charges will actually be brought against those who have reported on this issue,²⁴ this threat has led some to suggest that the Slovak Government is more interested in silencing its critics than investigating their claims.²⁵ In any case, the Slovak Government has appointed a special commission to conduct an investigation of coerced sterilization.²⁶

Related Commission Materials

Available at the Commission’s Website at <http://www.csce.gov>

Helsinki Commission Co-Chairman Smith Meets with Slovak Deputy Foreign Minister: Praises Slovak Leadership in International Affairs; Delivers Letter to Slovak Prime Minister on Coerced Sterilization, March 12, 2003

http://www.csce.gov/press_csce.cfm?press_id=281

Recommending the Integration of the Republic of Slovakia into the North Atlantic Treaty Organization (NATO), October 7, 2002

http://www.csce.gov/crs_display.cfm?crs_id=157

Helsinki Commission Co-Chairman Praises Slovak Reforms, Urges Passage of Anti-Discrimination Law, June 11, 2002

http://www.csce.gov/press_csce.cfm?press_id=236

Journalist's Attempted Hand-Shake Leads to Criminal Indictment

Co-Chairman Smith Hopes for Repeal of Archaic Criminal Defamation and "Insult" Laws, April 19, 2002

http://www.csce.gov/press_csce.cfm?press_id=226

Situation of the Gypsies in Czechoslovakia, Document No. 23, excerpt from HUMAN RIGHTS IN CZECHOSLOVAKIA: THE DOCUMENTS OF CHARTER '77, 1977 - 1982 (report)

<http://www.csce.gov/pdf/charter77.pdf>

ENDNOTES

1. "Slovak Roma Uneasy about Health Minister's Statements," *Open Media Research Institute Daily Digest*, Oct. 31, 1995. "Minister Seeks to Regulate Romanies' Birthrate," Bratislava *Narodna Obroda* in Slovak, Oct. 28, 1995; translation by *Foreign Broadcast Information Service*, Oct. 28, 1995.

2. For a relatively sober discussion of this phenomenon, see "Sociologist Views Demographic Trends Among Slovak Gypsies," Bratislava *Pravda* in Slovak (July 3, 2000); translation by *Foreign Broadcast Information Service*, July 3, 2000.

3. "Bratislava Goal: Fast Track Into EU", *International Herald Tribune*, April 18, 2001 (interview of Pavol Hamzik by Justin Keay). Hamzik stated later in the interview: "They need to know what is good for them."

4. Press release issued by the United Nations Development Programme on Jan. 16, 2003, announcing the publication of "The Roma in Central and Eastern Europe (Regional Human Development Report)."

5. Roma Rights Center Kosice, "Human Rights Report on Situation of Roma in Eastern Slovakia 2000-2001," pp. 6-7. See also Dewey Smolka, "Letanovce Roma losing ground," *Slovak Spectator*, March 11, 2002 (www.slovakspectator.sk).

6. The text of the Prime Minister's remarks was confirmed with the Embassy of Slovakia in Washington, D.C., in 1993.

7. *Supra*, note 1.

8. "ERRC Concerns: Coercive Sterilization of Romani Women in Slovakia," European Roma Rights Center, Jan. 30, 2003 (www.errc.org) (*hereinafter* ERRC Concerns).

9. Steven Erlanger, "The Gypsies of Slovakia: Despised and Despairing," *The New York Times*, April 3, 2000. According to *The Times*, Sabo maintained a handwritten chart showing the ethnic make-up of his town.

10. "Slovak populist plans to stem Roma population growth," Prague *CTK* in English, June 15, 2002; transcribed text by *Foreign Broadcast Information Service*, June 15, 2002. See also "Fico Wants to Lower Slovak Roma's Birthrate," *Radio Free Europe/Radio Liberty Newsline*, June 17, 2002.

11. Council Directive 43, 2000 O.J., (L 180) ("implementing the principle of equal treatment between persons irrespective of racial or ethnic origin").

12. "Csaky Says Moving the Roma Agenda Under ANO is a Political Decision," *Roma Press Agency*, Nov. 4, 2002 (www.rpa.sk); "Roma responsibility a hot potato," *Slovak Spectator*, Oct. 9, 2002 (www.slovakspectator.sk).

13. "ANO Chairman Rusko Discusses Project for Dealing with Slovak Romany Issue" (text), Bratislava *Narodna Obroda* in Slovak (Nov. 14, 2002); translation by *Foreign Broadcast Information Service*, Nov. 14, 2002. Mirka Horobova, "Experts Pour Scorn on ANO 'Kibbutz' Project for Romany Problem" (text), Bratislava *Sme* in Slovak (Nov. 6, 2002); translation by *Foreign Broadcast Information Service*, Nov. 6, 2002.

These ideas, or similar ones, have been discussed in Slovakia before. See "Slovak Government To Send 'Missionaries' to Romanies," Prague *CTK* in English (Dec. 7, 1999); transcribed by *Foreign Broadcast Information Service*, Dec. 7, 1999 ("The Slovak government is planning to send 'civilisation missionaries' to Romany villages, Deputy Premier Pal Csaky, who is responsible for human rights and minorities, told journalists today").

In August 2000, Vitezoslav Moric from the extremist Slovak National Party advocated placing Roma on reservations. "Opposition MP suggests setting up of Romany reservations in Slovakia," *Slovak I radio* in Slovak, *BBC Monitoring*, Aug. 4, 2000; "SNS Deputy Wants to Put 'Unadaptable' Romanies in Reservations," *Czech News Agency*, Aug. 4, 2000 (reported on Central Europe Online, www.centraleurope.com). Following his remarks, in a vote of 65 for and 27 against (with 58 Deputies apparently not present or not voting), he was stripped of parliamentary immunity in order to pave the way for criminal charges of incitement to racial hatred to be brought against him. "Moric turned over for prosecution," *Slovak Spectator*, Oct. 2-8, 2000 (www.slovakspectator.sk). Moric was not convicted. "Slovak prosecutor applies for lifting immunity of opposition MP's," Bratislava *TASR* in English (Feb. 24, 2003); transcribed by *Foreign Broadcast Information Service*, Feb. 24, 2003.

14. "Plan on tackling Slovak Roma issues modelled on kibbutz - press" (text), Prague *CTK* in English (Nov. 14, 2002); transcribed text by *Foreign Broadcast Information Service*, Nov. 14, 2002.

15. "Slovak Coalition Decides Not To Create Kibbutzim for Romany Settlements" (text), Bratislava *Pravda* in Slovak (Nov. 14, 2002); translation by *Foreign Broadcast Information Service*, Nov. 14, 2002.

16. Article II of the Genocide Convention outlaws "acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, such as [. . .] (e) Imposing measures intended to prevent births within the group."

17. *Situation of the Gypsies in Czechoslovakia, Document No. 23, HUMAN RIGHTS IN CZECHOSLOVAKIA: THE DOCUMENTS OF CHARTER '77, 1977-1982*, publication of the Commission on Security and Cooperation in Europe (1982), p. 168.

18. ERRC Concerns, *supra* note 8.

19. STRUGGLING FOR ETHNIC IDENTITY, report by Human Rights Watch (1992), pp. 19-35.

20. ERRC Concerns, *supra* note 8.

21. See "Criminal Defamation and "Insult" Laws: A Summary of Free Speech Developments in Slovakia," Digest article published by the Commission on Security and Cooperation in Europe, Dec. 2001 (www.csce.gov).

22. BODY AND SOUL: FORCED STERILIZATION AND OTHER ASSAULTS ON ROMA REPRODUCTIVE FREEDOM IN SLOVAKIA, Center for Reproductive Rights and *Poradna pre občianske a ľudské práva*, in consultation with Ina Zoon (2003) (www.reproductiverights.org).

23. Peter S. Green, "Gypsies in Slovakia Complain of Sterilizations," *The New York Times*, Feb. 28, 2003.

24. Such charges would violate Slovakia's international obligations regarding free speech and, in general, the post-Meciar governments have sought to uphold those obligations.

25. This threat has been reported in many articles on this issue. *See, e.g.*, "slovaki nasil'no sterilizuiut tsyganok," *Gazeta*, Jan. 30, 2003; "Allegations of coerced sterilizations in Slovakia," *Nepszabadsag*, Feb. 4, 2003; Sonya Yee, "Overcoming Fear to Fight Sterilizations," *Los Angeles Times*, March 3, 2003; "Slovakian Interior Ministry to Investigate Forced Sterilization of Gypsy Women," Kaiser Family Foundation Daily Health Reports, March 7, 2003.

26. The State of North Carolina is engaged in a similar process. For details on the history of forced sterilization in North Carolina and the ongoing efforts of a state-appointed panel to examine this issue, *see* "Against Their Will: North Carolina's Sterilization Policy," a series of articles published in December 2002 by the *Winston-Salem Journal* (www.journalnow.com/wsj/specialreports/againsttheirwill/).

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